

REMARKS

Applicant wishes to thank the Examiner for withdrawing the restriction requirement issued in the Office Action dated November 3, 2004. Claims 1-33 are currently pending. Claims 1-5, 8-13, 15-22, 25, 29, 30, 32, and 33 stand rejected. Claims 6, 7, 14, 23, 24, and 26-28 are objected to for depending from rejected claims. Claims 1-5, 8-13, 15-18, 20-22, and 31 have been amended, and claims 19, 30, 32 and 33 have been canceled. Claims 34-36 have been added.

Double Patenting Rejections

Claims 16, 18-21, 25, 29 and 33 are rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-6 of U.S. Patent No. 6,623,721 ("the 721 patent"). Applicant traverses the rejection. Claim 16 has been amended to include R² groups wherein R² is "an activated ester, a carboxylic acid, or a leaving group." Claims 1-6 of the 721 are directed to compounds in which, *inter alia*, R² is an alkyl isothiocyanate or an aromatic isothiocyanate. Therefore, as amended, claim 16 (and claims 20, 21, 25, 29 and 33 dependent therefrom) is patentably distinct from claims 1-6 of the 721 patent. Withdrawal of the double patenting rejection is respectfully requested.

Claim Rejections under 35 U.S.C. § 112

Claims 1-5, 8-13, 15-22, 30, 32, and 33 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. These claims have been amended to correct apparent typographical errors and even more clearly describe the claimed subject matter. They are believed to be in condition for allowance. Applicant respectfully requests withdrawal of all the aforementioned 35 U.S.C. §112 rejections.

Claim Objections

Claims 6, 7, 14, 23, 24, and 26-28 are objected to as being dependent upon a rejected base claim, but according to the Examiner, would be allowable if rewritten in independent form. Claims 6, 7, 23, 26 and 27 depend from amended claim 1. Since claim 1 is allowable, dependent claims 6, 7, 23, 26 and 27, which depend from an allowable claim, are no longer objectionable. Similarly, claim 9 is allowable, thereby rendering claims 14, 24 and 28, dependent therefrom, no longer objectionable. Withdrawal of the objections is requested.

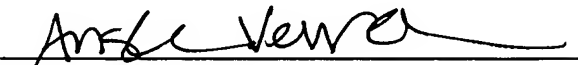
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PATENT

CONCLUSION

Applicant submits that the foregoing represents a *bona fide* attempt to advance the present case to allowance, and that the claims are in condition for allowance. Accordingly, an indication of allowability and a Notice of Allowance are respectfully requested.

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